

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 13, 2019

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Hayes made a motion to approve the minutes of the Regular Session October 23, 2019, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Hayes made a motion to approve the minutes of the Executive Session October 23, 2019, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

SOCCER TEAMS AWARDS

Mrs. Mora Dillon presented Certificate of Achievement Awards to three soccer teams consisting of 3rd – 6th graders.

BILL LIST

Mr. Hayes made a motion to approve the November 13, 2019, Bill List, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

CLERK'S REPORT:

Ms. Hrebenak reported the Committee was given copies of Shared Services that need to be discussed in Executive.

Mrs. Mora Dillon made a motion to send the Court Shares Services Agreement Contract to Washington Township (Warren), Washington Borough, and Oxford, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

Ms. Hrebenak stated the other Shared Services were for Land Use Board Secretary and Fire Prevention. Mayor Watters asked if anything has changed with these. Ms. Hrebenak stated Fire Prevention includes the Fee Schedule that the Committee had voted against due to fees for commercial farms. Mayor Watters said these will be discussed in Executive.

Ms. Hrebenak stated there is a request for the Personnel Policy Change also included for discussion.

Mayor Watters asked Mr. Wenner about Green Acres easements on the Cholish property. Mr. Wenner has not yet received a response from the DEP.

FINANCE REPORT:

Mrs. Mollineaux stated she sent an email to the Committee that there were a few things on the agenda:

- Take action on the Shared Services for the Tax Collector to cancel the balance that has to be paid
- Budget Transfers
- Appoint a Tax Collector – We have been unsuccessful to fill that position, so our Tax Consultant has agreed to finish out the year as Tax Collector and help with the Tax Sale.

Update on Tax Foreclosures – Mrs. Fascenelli will give a report.

A Tax Assignment will be discussed in closed session.

EMPLOYEES' REPORTS:

Mrs. Fascenelli reported:

Tax Sale on December 5, 2019, for 53 properties. Mr. Guerin will decide when to collect the money, either the day before or the morning of the sale. We have a list of the properties that are still on the sale.

REM Tax Foreclosure List – Attorney’s office working on it. There are 24 properties and 15 have searches done on them in preparation to file complaints – six (6) are in the process of being reviewed and three (3) are waiting for county feedback. Mrs. Fascenelli will keep the Committee updated on their progress.

SWAC Meeting – Mrs. Fascenelli and Mayor Watters attended last week. The owner of Sanico stated that Warren County resident’s garbage cannot be disposed of in the Warren County Land Fill at this time. This is due to paperwork and the incinerator, but attorneys are working on it. Mayor Watters recommended the SWAC Committee write to the Freeholders to bring this to their attention. Mr. David Dech was directed to write the letter. As of now, Sanico is disposing of Warren County garbage in Pennsylvania which means prices will go up. Mayor Watters stated a letter indicating a Township increase is in the Committee packet.

Mr. Misertino asked about properties at the Meadows at Mansfield that are on the Tax Sale List. Mrs. Fascenelli said that some will come off when people come in to pay, but some will stay on. One property already has a lien on it.

DPW

Mr. Snyder reported:

- Sweeping has begun, more coming for next week.
- Recreation items – all have been picked up and put away, fields cleaned, tennis nets have been put away.
- Trucks – winterized with plows and spreaders attached, everything is greased and tested.
- Snow Fences – to be installed next week.
- Falcon Hot Boxes – Mr. Snyder will be at the League for three (3) days, and there he will meet with the people who make the Falcon Hot Boxes and an engineer who will show him how they work for patching pot holes.
- Valley Road – Patching by the bridge will be done next week.

Mr. Misertino asked how much snow fence was purchased. Mr. Snyder said 54-56 rolls at 50ft a roll which he will put in this year’s coming budget for another batch of fence. There isn’t enough fence to cover every area, so he will focus on Washburn, Point Mountain, Airport Road, Allen Road.

ENGINEER'S REPORT:

Mr. Kastrud reported there are no strong updates on his report. Mrs. Mora Dillon asked about the grants which Mr. Kastrud said he is keeping up on all of them.

PUBLIC PORTION:

Mayor Watters open the Public Portion of the meeting; seeing none, the Public Portion was closed.

RESOLUTIONS:

**RESOLUTION # 2019 – 148
TO AUTHORIZE AND APPROVE AN HOURLY RATE FOR AN EMPLOYEE**

WHEREAS, Ordinance # 2018-13 established the salaries and wages for the employees of the Township of Mansfield, County of Warren,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employee shall be compensated for the year 2019, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Rosaura Murillo-Romero	Violations Clerk	\$ 15.00 Per Hour Commencing 11/14/19 Not to exceed 24 hours

**RESOLUTION # 2019 – 149
REFUND OF ROAD OPENING ESCROW**

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, American Water issued a check for \$ 150.00 dated 1/18/17 for a road opening escrow (73 Frome Street) with the Township of Mansfield, County of Warren,

WHEREAS, there remains a balance of \$ 90.00 in the escrow account,

WHEREAS, the Township Engineer has determined that the escrow balance can be refunded,

NOW, THEREFORE BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 90.00 to American Water.

2019-150

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Township of Mansfield (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Warren and State of New Jersey, as follows:

1. Township of Mansfield (Local Unit) hereby appoints Skylands Risk Management, Inc. its Risk Management Consultant.
2. The Mayor (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2020 in the form attached hereto.

2019-151

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Township of Mansfield (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Mansfield (Local Unit) that Dena Hrebenak (entity's elected

official or employee) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2020**; and

BE IT FURTHER RESOLVED that Michael Reilly (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2020**; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

RESOLUTION 2019-152

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

RESOLUTION AUTHORIZING CANCELLATION OF A SHARED SERVICES AGREEMENT

WHEREAS, the Township of Mansfield and the Township of Washington (Morris County) entered into an agreement for a Certified Tax Collector services; and

WHEREAS, the terms that were outlined in the Shared Services Agreement for 2019 have been mutually dissolved and there no longer exists a need for the agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the Shared Services Agreement between the Township of Mansfield and the Township of Washington (Morris County) be cancelled as of November 16, 2019.

**RESOLUTION # 2019- 153
FOR TRANSFER OF FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, there are insufficient funds in some of the 2019 budget line items; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of funds from accounts with a surplus to cover such demands,

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that the Chief Financial Officer of Mansfield Township, County of Warren, State of New Jersey, is hereby authorized to make the following transfers in accordance with the provision of this resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Police OE	\$ 8,000.00	
General Admin OE	\$ 4,000.00	
Salary & Wage Adj	\$ 9,500.00	
Tax Assessment OE		\$ 3,500.00
Data Processing OE		\$18,000.00
TOTALS	\$21,500.00	\$21,500.00

**RESOLUTION # 2019- 154
TO APPOINT A CERTIFIED TAX COLLECTOR**

WHEREAS, the Township of Mansfield has dissolved the Shared Service Agreement with Washington Township (Morris County) for Certified Tax Collection Services; and

WHEREAS, that dissolution creates a vacancy in the position of Certified Tax Collector for the Township of Mansfield as of November 16, 2019; and

WHEREAS, Joseph Guerin, Jr, of Hickory Road, LLC is a certified Tax Collector and is available to fill this position;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that Joseph Guerin, Jr be appointed as Tax Collector from November 16, 2019 to December 31, 2019.

Mr. Hayes made a motion to approve Resolutions 2019-148 through 2019-154, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

ORDINANCE:

Second Reading

**ORDINANCE 2019-08
AN ORDINANCE TO AMEND CHAPTER 296, ARTICLE 6 OF THE TOWNSHIP CODE**

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, New Jersey, as follows:

296-31, Section B. Replacement of damaged mailboxes and posts.

(1) For any mailbox located in a Township-owned right-of-way, the Township of Mansfield will replace mailboxes and/or post damaged due to snow and/or ice removal and/or maintenance operations with a standard mailbox and post only under the following circumstances:

- a. Physical damage caused by actual contact with Township-owned and operated equipment, which damage and contact can be proven and documented by the owner;
- b. The mailbox and/or post is of standard design and placed in conformance with this Ordinance, and
- c. The existing installation, mailbox, and mailbox post were in good condition and repair prior to the alleged event causing damage.

The Township will not make repairs or install the mailbox or post replacement.

Nothing in this Section or in this Ordinance shall be construed in any way to waive any or all defenses available to the Township under Title 59 of the New Jersey Statutes.

Section 11. This Ordinance shall be effective after adoption by the Township Committee and publication and/or posting as provided by law.

Section 12. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

Section 13. If any article, section, subsection, sentence, clause or phrase of this Ordinance is for any reason declared to be unconstitutional or invalid by any court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

Section 14. This Ordinance shall take effect upon notice, publication and adoption as required by law.

Mr. Hayes made a motion to approve Ordinance 2019-08, which was seconded by Mr. Farino.

Mayor Watters opened the Public Portion; seeing none, the Public Portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Farino made a motion to move into Executive Session, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None
Absent: None
Abstain: None

Roll Call to return from Executive Session

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters
Nays: None
Absent: None
Abstain: None

Mr. Wenner stated the discussion in Executive Session was as follows:

- Shared Services Agreement with the Emergency Squad and possible purchase of SUV and ambulance
- Personnel matter regarding the creation of a new position for the staffing of the DPW
- Recommended fire company budgets
- Litigation of Butler Park
- Shared Services Agreement with Fire Prevention Services
- Shared Services Agreement with Land Use Board Secretary
- Shared Services Agreement with the Shared Courts
- Changing full-time employee benefits from working 25 to 30 hours per week
- Possible foreclosures of tax sale certificate

No official action was taken in Executive Session. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Wenner requested motions for seven (7) items:

- Request authorizing the attorney to draft a contract for the Emergency Squad for the provision of the SUV for the terms that the SUV is not to be used as a personal vehicle and remain on site whenever possible and the EMS is to carry the insurance for the vehicle.

Mr. Hayes made a motion, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters
Nays: None
Absent: None
Abstain: None

- Mr. Wenner requested a motion authorizing the execution of the settlement agreement with Butler Park.

Mr. Hayes made a motion, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

- Mr. Wenner requested a motion for approving the Best Practices Check List.

Mrs. Mora Dillon made a motion, which was seconded by Mr. Misertino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

- Mr. Wenner requested a motion adopting Resolution 2019-155 regarding Shared Services for the Land Use Board Secretary.

Mr. Hayes made a motion, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

- Mr. Wenner requested a motion adopting Resolution 2019-158 amending the personnel policy for Part Time hours to 30 or more to receive benefits.

Mr. Hayes made a motion, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

- Mr. Wenner requested a motion adopting Resolution 2019-156 Shared Service Agreement with Fire Prevention.

Mr. Hayes made a motion, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

- Mr. Wenner requested a motion to adopt Resolution 2019-157 for Shared Services for Shared Municipal Court.

Mr. Hayes made a motion, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mayor Watters requested a motion to approve stone washing on Mt. Bethel Church pending the correct information is provided to Mr. Petteruti.

Motion was tabled for more information before voting.

Ms. Hrebenak asked for the date of the Re-Org Meeting. The Committee agreed it would be Wednesday, January 1, 2020.

Mrs. Mora Dillon requested the approval of a proposal to present to Borealis for a donation for a new Recreation Building.

Mr. Farino made a motion to send the letter to Borealis, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mr. Misertino, Mayor Watters

Nays: None

Absent: None

Abstain: Mrs. Mora Dillon

Mr. Hayes made a motion to adjourn at 10:03 which was carried by all.